

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiffs,

v.

ALFRED D. ROGERS,

Defendant.

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CASE NO. 8:00CR358

JUDGMENT

Pursuant to the Memorandum and Order entered on this date, judgment is entered in favor of the government and against the defendant, Alfred Rogers. The defendant's Motion under 28 U.S.C. § 2255 to vacate is dismissed without prejudice subject to certification by a panel of the Eighth Circuit allowing defendant to file a successive § 2255 motion.

DATED this 9th day of November, 2006.

BY THE COURT:

s/ Joseph F. Bataillon

Chief United States District Judge